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09/888,329

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Jeff Davison

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EXAMINER

BASEHOAR, ADAM L

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 09/888,329 | Applicant(s) DAVISON, JEFF | |
| | Examiner ADAM L. BASEHOAR | Art Unit 2178 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: The Amendment filed 03/20/08.
2. Claims 1-7 and 9-27 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft FrontPage 2000, Screen Shots, 12/31/99, pp. 1-20 in further view of Maslov (US-6,538,673 03/25/03).
3. Claim 8 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft FrontPage 2000, Screen Shots, 12/31/99, pp. 1-20 in Maslov (US-6,538,673 03/25/03) in further view of Leblang et al (US-5,574,898 11/12/96).
4. Claims 1-27 are pending in this case. Claim 1 is an independent claim.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-7 and 9-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft FrontPage 2000, Screen Shots, 12/31/99, pp. 1-20 in further view of Maslov (US-6,538,673 03/25/03).

-In regard to independent claim 1, FrontPage teaches a method for processing a markup language file having portions comprising;

downloading a first markup language file (pp. 3: Open File: "File Name") using HTTP (i.e. the standard protocol for moving hypertext files across the Internet) and referencing the first

markup file (pp.4: Normal View) by the URL or the name of the local file on the user system (pp.4: “http://wombat.doc.ic.ac.uk/foldoc/”);

parsing the first markup language file for one or more portions (pp. 6); and

storing each portion of the file into a directory structure (pp. 6) containing folders (pp. 6: “C:\WINNT\Profiles...”), subfolders (pp. 6: “_private”, “images”, etc), and files (pp.6: “discuss.html”, “members.htm”, etc), complying with the structure of the first file (pp.6).

FrontPage further teaches displaying the tag names of each of the elements of the selected first markup language file (pp. 4: “body”, “center”, “form”, “p”, etc). FrontPage also teach wherein a folder could depend on tag names in the markup language file (pp.6: i.e. “images” folder depends on image tags of images in the associated markup language file). FrontPage does not specifically teach each of the folders and subfolders depend from the tag names in the markup language file. Maslov teach downloading a markup language document (e.g. XML or HTML)(column 4, lines 48-52; column 8, lines 12-13) and storing each portion of the markup language document in a directory structure (i.e. a tree model DOM)(column 8, lines 12-20) complying with the structure of the markup language document (column 8, lines 6-11) that contains folders, subfolders, and files (Fig. 4: 10, 31, 20), wherein each of the folders and subfolders depend from the tag names in the markup language document (column 8, lines 4-28)(Fig. 4: e.g. “Body”, Div”, “Table”, “Font”). It would have been obvious to one of ordinary skill in the art at the time of the invention for the folders and subfolders of first markup language file in FrontPage (pp. 6) to have depended on the tag names file (pp. 4: “body”, “center”, “form”, “p”, etc) of the markup language file, because Maslov teaches that the DOM tree model was the most popular implementation for representing XML and HTML online documents (column 8,

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lines 12-15) which allowed a user to easily navigate the content of an online document through the visually labeled hierarchical nodes (column 2, lines 48-50; column 8, lines 26-28: i.e. a user could determine what was contained in a folder node by observing the named label given to that node)(Fig. 4).

-In regard to dependent claim 3-7, 9-22, and 27, FrontPage teaches a command language set comprising:

- listing the contents of a folder (pp.6: i.e. opening the file shows a listing of its contents)
- changing folders and syntax for designating subfolders of folders (pp.6: i.e. opening different folders and changing the syntax by clicking the “+” or “-“ to open or close a folder)
- listing the contents of a file (pp.7: i.e. opening the file and listing the contents in the display window)
- selection and viewing of objects (pp. 6 & 7: i.e. viewing selectable files and folders)
- listing the attributes of a hypertext markup language tag (pp. 5: i.e. listing the “HTML” view of a file)
- treating the contents of a file as a local variable when a directory pathname for the file is referenced (pp. 7: i.e. “members.htm” file and contents are downloaded and thus local variables to the client)
- treating an attribute of a file as a local variable when a directory pathname is referenced (pp. 5: i.e. file and attribute contents are downloaded and thus local variables to the client)
- making new folders in the directory structure (pp. 8: “New Folder”)
- making new files in the directory structure (pp. 9: “New Page”)

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- copying folders in the directory structure (pp. 10: "Copy")
- recursively copying folders in the directory structure (pp. 18: "images_copy(1)" & "images_copy(2)")
- copying files in the directory structure (pp. 11: "Copy")
- recursively copying files in the directory structure (pp. 18: "search_copy(1)" & "search_copy(2)")
- renaming folders in a directory structure (pp. 12: "Rename")
- renaming files in a directory structure (pp. 13: "Rename")
- creating new files through redirection of an output command (pp. 9: "New Page")
- setting a file value (pp. 14: i.e. File Renaming or Title Changing)
- saving the modified file to disk (pp. 15: "Save" or "Save As")
- outputting the modified file to a standard output (pp. 16: "Print")
- creating HTML documents containing references to tag variables (pp. 19: i.e. downloaded HTML website), allowing insertion into a markup document the contents of a file from a second markup language document (pp. 20: i.e. Allowed for the insertion of file "search.htm" into the first HTML document).

-In regard to dependent claims 23-26, FrontPage teaches where said command language set allows creation of a batch file containing a subset of commands (pp. 17: "Publish to Web" or "Preview in Browser": i.e. Publishing or Previewing a folder creates a file that executes a subset of commands to execute the publishing or previewing to all files in the folder) and defining local variables for processing in conjunction with variables and attributes of the files (pp. 14: i.e. File

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Renaming or Title Changing & Fig. 5: Variables & Attributes one of the files). FrontPage also teaches comprising a command for loop processing (pp. 17: i.e. Publish to Web commands open-looped processing of all the files selected to be published) and jumping to a new location within the file and resuming execution at a new location via the inner file links (pp. 4: Links “More help”, “Missing terms”, etc.).

-In regard to dependent claim 2, FrontPage teaches wherein the MakeAbs Method can be used to convert relative uniform resource locations into absolute uniform resource locations (“Converting Relative and Absolute URL’s,” pp.1-2

<http://msdn.microsoft.com/library/default.asp?url=/library/en-us/off2000/html/fphowURLs.asp>).

FrontPage doesn’t teach wherein the conversion was done automatically. It would have been obvious to one of ordinary skill in the art at the time of the invention for FrontPage to have converted all relative URLs to absolute URLs, because FrontPage teaches that the recommended addressing for FrontPage was absolute addressing (“Converting Relative and Absolute URL’s,” pp. 1-2 <http://msdn.microsoft.com/library/default.asp?url=/library/en-us/off2000/html/fphowURLs.asp>).

7. Claim 8 rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft FrontPage 2000, Screen Shots, 12/31/99, pp. 1-20 in Maslov (US-6,538,673 03/25/03) in further view of Leblang et al (US-5,574,898 11/12/96).

-In regard to dependent claim 8, FrontPage does not teach wherein its “Open” command in the command set includes adding wildcards in the pathname. Leblang et al teaches wherein

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adding wildcards to pathnames was well known in the art at the time of the invention (column 11, 18-20). It would have been obvious to one of ordinary skill in the art at the time of the invention for FrontPage to have allowed wildcards in any "Open" pathname, because Leblang et al teaches wherein wildcards in pathnames allow for the matching of many similar names and would thus allow the finding and opening of files that would generally be of the same type or related in some fashion.

Response to Arguments

8. Applicant's arguments filed 03/20/08 have been fully considered but they are not persuasive.

-In regard to independent claim 1, Applicant argues that the cited Maslov reference fails to teach or suggest that each of the folders and subfolders depend from the tag names in the markup language file. The Examiner respectfully disagrees with the Applicant. Maslov clearly teaches representing an HTML or XML based source online document as a tree representation for the purpose of creating a transform script (column 8, lines 4-6). Maslov further teaches wherein the tree representation utilized the preferred embodiment of the Document Object Model (column 8, lines 4-5, 12-13, & 17-20). Maslov also teaches wherein representing the body of an online document in a tree representation, each logical unit of the source online document (e.g. paragraph, table, heading, etc) was represented by a node in the tree (column 8, lines 6-8). The logical units of the described HTML and XML online documents of Maslov clearly incorporate tag elements (i.e. body, paragraph, table, heading)(column 9, lines 35: "tag is equal to 'Body'") to be represented in the directory tree structure. Finally Maslov teaches actually creating the

document tree for the entire original online source document (column 8, lines 21-23: “shows a partial document tree....complete tree is too big to show on one page”), wherein each logical unit of the source document was represented as folders and subfolders in the document tree and specifically depend from tag names in source document. Figure 4 shows a partial source document tree for a given source document. In Figure 4, the tree representation clearly shows that the folders and subfolders representing the logical units in the source document depend directly from the tag names in the original source document (i.e. Folder 10 is named for the Body tag in the source document, Subfolder 52 is named for a Script tag in the source document, Folder 36 is named for a Form tag in the source document, etc). In conclusion, Maslov teaches a method of storing/representing a source document as a plurality of folders, subfolders, and files, complying with the structure of the source document, wherein each of the folders and subfolders are named based on the type name of the tag from which they depend.

The Applicant’s provided example with regard to an “EXAMINER BASEHOAR” tag name within a markup language file is not persuasive. The Examiner notes that the random tag naming fashion to which the Applicant is arguing is not described in independent claim 1. The Examiner contends that even if such a tag existed in the Maslov reference said tag, being a logical unit of the document, would be represented as a folder, sub-folder, or file depending on it’s hierarchical relationships. Because Maslov shows at least some tags represented by their tag names as folders and subfolders the Examiner believes said logical unit would also be depicted as such. Additionally the Examiner wishes to point out that independent claim 1 does not require that all tags or every/any tag names be created into folders or subfolders. Claim 1 only states that a portion, which could include only a single tag, of a markup language file be parsed and

stored in a folder/subfolder manner. Clearly the body tag example as disclosed in Maslov at least meets this limitation.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Please note the additionally cited prior art references on the accompanying PTO-892 form.

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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam L. Basehoar whose telephone number is (571)-272-4121.

The examiner can normally be reached on M-F: 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Adam L Basehoar/
Primary Examiner, Art Unit 2178